UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 JUN -2 AM 11:01

UNITED STATES OF AMERICA, Plaintiff, v. **Mauricio FIGUEROA-Ordono,** Defendant	Magistrate Docket No. '08 MJ 1723
	COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **May 31, 2008** within the Southern District of California, defendant, **Mauricio FIGUEROA-Ordono,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF JUNE 2008.

Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Mauricio FIGUEROA-Ordono

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On May 31, 2008 at approximately 5:15 AM, Border Patrol Agent A. Martinez was performing line watch duties in the Imperial Beach Border Patrol Station's Area of Responsibility. At that time, Agent Martinez was advised by the Inside Scope Operator that two individuals were walking northbound in an area commonly known as the "39 Bowl," which is approximately 300 yards north of the United States/Mexico International Boundary. This area is frequently used by undocumented immigrants to gain illegal entry into the United States and is located approximately three miles west of the San Ysidro, California Port of Entry.

Upon arriving at the location, Agent Martinez observed two individuals, one of whom was later identified as the defendant, **Mauricio FIGUEROA-Ordono**, running northbound. Agent Martinez approached the individuals, who were attempting to conceal themselves behind a house, and identified himself as a Border Patrol Agent and questioned them regarding their citizenship, nationality and immigration documentation. The defendant admitted to having entered the United States without inspection, and that he was a citizen and national of Mexico. The defendant also stated that he was not in possession of immigration documents that would allow him to enter or remain in the United States legally. At approximately 5:35 AM, Agent Martinez arrested **FIGUEROA** and he was transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **April 10, 2006** through **Nogales, Arizona.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on June 1st 2008 at 10:00 a.m.

Tomas M. Jimenez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of **1** page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **May 31, 2008** in violation of Title **8**, United States Code, Section **1326**.

Leo S. Papas
United States Magistrate Judge

6/1/08 - 1036 Am
Date/Time